

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

In Re Application of:

Fender *et al.*

Serial No.: 10/606,897

Filed: June 26, 2003

For: SYSTEM AND METHOD FOR
PERFORMING MULTI-SOURCE
MEASUREMENTS

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) Group Art Unit: 2863

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) Examiner: Bhat, Aditya

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) Confirmation No. 6585

)
) Docket No.: 10030339-1

Mail Stop: Appeal
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

REPLY BRIEF UNDER 37 C.F.R. §41.41

Sir:

This Reply Brief is submitted in response to the Examiner's Answer mailed *May 5, 2006*. Appellants acknowledge with appreciation the decision by Examiner Bhat to withdraw the rejection of claims 25 and 34, as indicated in the Examiner's Answer. Because of the withdrawal of this rejection, this Reply Brief addresses only the remaining issues and serves to replace the Appeal Brief submitted on November 14, 2005. Appellants respectfully request that the Board of Patent Appeals and Interferences overrule the rejection of claims 21-24, 26-33, and 35-39 and allow the present application to issue as a patent.

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I. REAL PARTY IN INTEREST

The real party in interest of the instant application is Agilent Technologies.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

III. STATUS OF THE CLAIMS

Claims 1-20 are canceled in the present application and claims 21-39 are pending. Claims 21-24, 26-33, and 35-39 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by *Taraki et al.* (U.S. Patent No. 5,898,307). Claims 25 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

IV. STATUS OF AMENDMENTS

No amendments have been made or requested since the mailing of the Final Office Action mailed May 16, 2005. All amendments submitted prior to the Final Office Action have been entered. The pending claims are listed in the Claims Appendix attached hereto.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Generally, the invention of the present application is directed to performing "multi-source measurements". Stated another way, the present application describes the aspect of performing measurements between multiple waveforms. As shown in FIGS. 8A-8D, the present application discusses four examples of multi-source measurements that can be made between two different waveforms. For example, the present application can measure the parameters of: 1) set-up time (FIG. 8A) *from one waveform to another*, 2) hold-time (FIG. 8B) *from one waveform to another*, 3) time difference (FIG. 8C) *from a point on one waveform to a point on another waveform*, or 4) phase difference (FIG. 8D) *between the two waveforms*.

FIG. 1 broadly illustrates the measurement system 100, which includes a measurement and testing instrument (MTI) 102 and a device under test (DUT) 104. FIGS. 5A-6B illustrate examples of a first waveform 506A, a second waveform 506B, and